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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

**DAVID BRIGHAM YOUNG,**

Plaintiff,

v.

**MERCURY CASUALTY COMPANY,**

Defendant.

Case No. 2:12-cv-00091-KJD-GWF

**STIPULATION AND ORDER**

COME NOW, Plaintiff DAVID BRIGHAM YOUNG, through his attorney of record, Barbara I. Johnston, Esq., and Defendant MERCURY CASUALTY COMPANY, by and through its attorneys, HAGER & DOWLING, P.C., and hereby submit this stipulation and order to the Court to extend the briefing schedule on the cross motions for summary judgment filed by the parties, docket numbers [146](#) and [149](#).

The reason for the continued briefing schedule is that Plaintiff's counsel, Barbara Johnston, recently underwent medical treatment upon admission to a hospital for an ongoing health issue. This has seriously impacted her ability to prepare a timely response to the motion for summary judgment filed by Mercury, as well as to deal with any resulting opposition filed to Mr. Young's motion. The Court previously granted a motion brought by Mr. Young on largely the same basis to continue the dispositive motion

1 deadline<sup>1</sup>, but the parties only received notice after or shortly before they filed their  
2 motions on the then-existent deadline of July 14.<sup>2</sup> The parties seek the Court provide them  
3 with the relief afforded by its earlier order continuing the deadline to file the motions for  
4 summary judgment by extending the deadline to file oppositions and replies.

5 The parties propose a new opposition deadline of August 24, 2015, with reply briefs  
6 due on September 8, 2015. The parties propose a new deadline of August 10, 2015 for  
7 Plaintiff's counsel to file an opposition to Mercury's Motion *in Limine*, docket number  
8 [145](#).

9 Additionally, the parties seek consolidation of the hearings on the dual motions  
10 related to Dr. Alan Berman, docket numbers [139](#) and [145](#). The basis for this request is the  
11 extensive overlap facts and issues presented in the competing motions. A single hearing  
12 on this matter is in the interests of all parties and the Court in reducing the number of  
13 appearances and hearings held.

14  
15 Dated: July 27, 2015

JOHNSTON & ASSOCIATES

16 By: /s/ Barbara I. Johnston, Esq.

17 Barbara I. Johnston, Esq.  
18 NV Bar # 3748  
19 8309 Shad Bush Avenue  
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21 *Attorney for Plaintiff*

22 Dated: July 27, 2015

HAGER & DOWLING

23 By: /s/ Benjamin J. Carman, Esq.

24 Benjamin J. Carman  
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28 *Attorney for Defendant*

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<sup>1</sup> Docket No. [143](#)

<sup>2</sup> See Docket No. 147

**ORDER**

IT IS SO ORDERED this 3rd day of August, 2015.



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RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE